

DAVID IGE  
GOVERNOR OF HAWAII

JOSH GREEN  
LIEUTENANT GOVERNOR



## HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325  
HONOLULU, HAWAII 96813

### VOTING MEMBERS

SUZANNE CASE  
DEPARTMENT OF LAND & NATURAL  
RESOURCES

PHYLLIS SHIMABUKURO-GEISER  
DEPARTMENT OF AGRICULTURE

KEITH KAWAOKA D.Env  
DEPARTMENT OF HEALTH

NICHOLAS COMERFORD, Ph.D.  
UNIVERSITY OF HAWAII

MARY ALICE EVANS  
DEPARTMENT OF BUSINESS, ECONOMIC  
DEVELOPMENT & TOURISM

DAVID RODRIGUEZ  
DEPARTMENT OF TRANSPORTATION

### PUBLIC MEETING NOTICE

## Hawai'i Invasive Species Council

January 27, 2021, 10:00 AM

Considering the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, the meeting will be held remotely, with Council members, legislative participants, and staff participating via online meeting software. We will attempt to livestream the meeting at:

[https://www.youtube.com/channel/UCFT6SAASZIUxd\\_XgZMCjGsQ](https://www.youtube.com/channel/UCFT6SAASZIUxd_XgZMCjGsQ)

For individuals or entities wishing to provide written, oral, or video testimony during the meeting, please refer to the "Protocol for providing testimony for remote meetings of the Hawai'i Invasive Species Council" below this agenda.

### AGENDA

1. Call to order
2. Introductions
3. Approval of minutes from August 27, 2020 meeting
4. Submittal: Requesting Hawai'i Invasive Species Council (HISC) approval for potential activities as part of a 2021 Hawai'i Invasive Species Awareness Month (HISAM) and delegating to the HISC Support Program staff the annual coordination of activities and the selection of awardees for HISAM to be recognized in the Council's name
5. Submittal: Requesting Council approval to delegate to Hawai'i Invasive Species Council (HISC) Support Program staff the authority to track legislative measures, provide in the Council's name written and/or oral testimony, and provide comments in legislative hearings, and requesting that the Council delegates to the HISC Program Support Staff the authority to draft and provide in the Council's name written and/or oral comments on documents relevant to invasive species and released by other entities for input
6. Public Comments
7. Adjournment

The Council may go into Executive Session pursuant to Section 92-5(a) (4), Hawai'i Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities.

Individuals requesting special accommodations (e.g., large print materials, sign-language interpreters) are asked to contact the staff below at least three days prior to the meeting.

## **Protocol for providing testimony for remote meetings of the Hawai'i Invasive Species Council**

Testimony may be provided in person or in writing, submitted electronically to [Randal.T.Bartlett@hawaii.gov](mailto:Randal.T.Bartlett@hawaii.gov). To give Board members sufficient time to consider written testimony, please submit the testimony no later than 24 hours prior to the Board Meeting. Any late written testimony will be retained as a part of the record, but we cannot assure that Board members will receive it with sufficient time for review prior to decision-making. Written testimony will be acknowledged at the meeting.

To provide **live oral/video testimony** during the online meeting, email your request to [Randal.T.Bartlett@hawaii.gov](mailto:Randal.T.Bartlett@hawaii.gov) at least 24 hours in advance, with your name, phone number, email address, computer identification name (check your device settings), and the agenda item you would like to testify on live during the meeting. Once your request has been received, you will receive a Zoom link via which to testify. You will need a computer with internet access, video camera and microphone to participate. If you require access by phone only, please indicate that in your email request.

Public testimony will be taken when each agenda item is discussed. You can monitor meeting progress via YouTube livestream at this link:

[https://www.youtube.com/channel/UCFT6SAASZIUxd\\_XgZMCjGsQ](https://www.youtube.com/channel/UCFT6SAASZIUxd_XgZMCjGsQ)

Testifiers will be called on by a co-Chair to offer testimony. Until that time, you will be placed in a “Waiting Room”. While waiting to provide testimony, you will need to mute your microphone and turn off your video. When it is your turn to speak, you will be given full access to the meeting. At that time, if you are watching the YouTube livestream, you will need to mute the YouTube livestream to avoid feedback.

When testifying, please state your first and last name for the record. If you are testifying on behalf of an organization, please include the name of the organization as well.

Testimony will be limited to a maximum of three (3) minutes. You will be given notice when 30 seconds remain. If you continue to testify beyond your allotted time, a co-Chair will kindly ask you to complete your testimony.

If you have submitted written testimony and have also signed up to deliver it orally, the Chair will ask you to kindly summarize your points.

When you have finished testifying, you will be put back in the “Waiting Room”. Please stay there until your agenda item is complete in case Council Members have questions.

Staff will be monitoring people joining the Board meeting by video and will do their best to take each person in an orderly fashion. Please be patient as we continue to navigate this new platform.

### **For information, contact:**

HISC Support staff: 1151 Punchbowl St, #325, Honolulu, HI 96813; Fax: 587-0160  
Josh Atwood, Acting Program Supervisor: 587-4154, [Joshua.P.Atwood@hawaii.gov](mailto:Joshua.P.Atwood@hawaii.gov)  
Randy Bartlett, Interagency Coordinator: 870-6443, [Randal.T.Bartlett@hawaii.gov](mailto:Randal.T.Bartlett@hawaii.gov)  
Leyla Kaufman, Māmalu Poepoe Project Coordinator: [leyla@hawaii.edu](mailto:leyla@hawaii.edu)  
Chelsea Arnott, Planner: [Chelsea.L.Arnott@hawaii.gov](mailto:Chelsea.L.Arnott@hawaii.gov)

Elizabeth Speith, 643pest.org Report Facilitator: speith [at] hawaii.edu

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## HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325  
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### PUBLIC MEETING MINUTES

## Hawaii Invasive Species Council August 27, 2020, 1:00 PM

#### VOTING MEMBERS

SUZANNE CASE  
DEPARTMENT OF LAND & NATURAL  
RESOURCES

PHYLLIS SHIMABUKURO-GEISER  
DEPARTMENT OF AGRICULTURE

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[https://www.youtube.com/channel/UCFT6SAASZIUxd\\_XgZMCjGsQ](https://www.youtube.com/channel/UCFT6SAASZIUxd_XgZMCjGsQ)

#### AGENDA

#### 1. Call to order by Chair Case:

a. 1:07 PM

#### 2. Introductions:

- a. Council: Suzanne Case (Chair-DLNR), Phyllis Shimabukuro-Geiser (Chair - HDOA), Jeff Goodwin (UH-CTAHR), Walter Bowin (UH-CTAHR), David Rodriguez (HDOT), Mary Alice Evans (DBEDT), Keith Kawaoka (HDOH)
- b. Legislators: Representative Wildberger, Representative Nakamura, Representative Lowen, staff from the office of Senate President Ron Kouchi, Rock Riggs (Senator Gabbard's office)
- c. Guests: Justine Nihipali (Chair of RWG -DBEDT), Congressman Ed Case, Mitch Heindrich (Congressman Case office),
- d. HISC staff: Leyla Kaufman, Josh Atwood, Chelsea Arnott, Randy Bartlett

#### 3. Approval of minutes from May 20, 2020 meeting:

- a. Co-chair Shimabukuro-Geiser moves to approve the minutes, member Rodriguez seconds. Council approves.

#### 4. Discussion: Congressman Ed Case on COVID19 relief funding, Forest bill and other natural resources updates

- a. Mitch is the legislative coordinator for environmental issues so continue to work with him.
- b. **COVID-19:** CARES Act passed with \$3 trillion in relief funding, but the funding is almost dry. Need another emergency assistance bill which passed congress but is stuck in Senate and still in the middle of an intense negotiation. Going to be a true compromise where not everyone is getting what they want and trying to get

that passed soon. There is a need for assistance in natural resources where some of those funding streams will be drying up. Some funding related to agriculture. Please reach out if there are any barriers to getting funding.

- c. **Hawaii Invasive Species Act:** Bill for pre-clearance for materials coming into Hawaii via barges and air. Would instill a better biosecurity system similar to New Zealand but needs a lot of socializing within Congress.
- d. **National Forest:** no national forest in Hawaii and there's no reason we don't have one. Introduced a bill to creating a national forest in Hawaii which is the first step in the process. It got passed out of the Nat Res and Appr. Committee. Hopefully that moves out of the House.
- e. **Ka'ena Point National Heritage Bill:** Better coordination amongst agencies. More funding to leverage and more protection. Didn't get this out of congress but will do it again next year and made a lot of good progress.
- f. Able to get more agricultural quarantine funding. Able to get educational assistance in the agriculture area and also more money for ranching. Hoping these funds will be available in the next fiscal years.
- g. Open the conversation to look at areas that we are not currently addressing. Please reach out. Great American Outdoors Act passed which is a large increase in federal funding. Not sure what the application is but it was just signed 3 weeks ago. Need to figure out how Hawaii can benefit from this funding.
- h. Mahalo from Suzanne Case and the Council for their work.
- i. Shimabukuro-Geiser: HDOA updated their strategic plan based on a session from 2019 Legislature. Included biosecurity initiative actions in the plan. Focused on multi-agency collaboration highlighted in the biosecurity plan. Also focused on local food production, marketing agricultural production and how to better support this. Offering a series of zoom meetings to share strategic plan with stakeholders. Regroup after these meetings and take into account those comments to provide a final report to the legislature. Appreciate the federal opportunities including proposals for food insecure areas.
  - i. Congressman: We are already working on FY22 budget to be prepared and making sure Hawaii isn't left out the picture. Hawaii has some speciality crops that are important that aren't necessarily known in DC.
- j. Rep Nakamura: CARES Act funding to be extended beyond the end of the year?
  - i. Congressman: Confusion about what has to happen by the deadline. It doesn't need to be spent by the deadline it just needs to be encumbered. Mitch will send Rep Nakamura documentation to help explain this. There are bills to extend some of these federal assistance money beyond the end of the year. Optimistic that these will pass. Disagreement on whether or not there will be more money.
- k. Rep Nakamura: Helicopter Bill
  - i. Congressman: Helicopter bill is gaining some traction in congress. Other states have issues of damage from tour operators. Continued discussions inside the industry and community groups that are interested in this topic. Now is the time for these tour operators to change the status quo. Mitch to send some information to Rep Nakamura on this topic.
- l. Rep Lowen: Also requests the guidance document from Mitch on the CARES Act. Kupu Civilian Conservation Corp funding is hung up on an differing interpretation about whether or not recent grads can apply for these kupu positions.

- i. Congressman: There's language in the current act that doesn't allow the funding to be used for "pre-budgeted" items. Interpretation is that if this is a new position then there shouldn't be any restrictions on those money to hire someone into that position. The issue would be if your re-budgeting the money to support pre-existing positions.

## **5. Submittal: Requesting approval of a recommended budget for Fiscal Year 2021**

- a. Overview of FY 21 budget with a PowerPoint presentation. Attachment included on website. Presented by Justine Nihipali, Josh Atwood, and Chelsea Arnott.
  - i. Appreciation from co-chairs about balancing such a competitive budget.
  - ii. Bowen: Wondering if there's a lot of push-back from applicants with final awards?
    - 1. Chelsea: Josh has worked really hard at creating a process that is efficient, fair and transparent. Most applicants have seen this improvement over the time Josh has worked on the budget and understand the limited funding and the amount requested. A lot of discussion takes place during the Resources Working Group and applicant have a chance to comment unlike other grant processes.
  - iii. Rep Nakamura: Curious about the project that wasn't funded for the "cat campaign"
    - 1. Josh: This is a social marketing campaign that would be a compromise on messaging between conservationists and cat advocates to work on a campaign to keep cats indoors. We proposed this project last year but it was encumbered. Would still like to see something on this but with the limited funding this is not the year to support this project.
    - 2. Motion to approve the budget submittal. Shimabukuro-Geiser moves to approve. Evans seconds. Motion approved unanimously.

## **6. Public Comments**

- a. No submitted testimony
- b. Comments on YouTube channel - Appreciation for the funding process that the council uses.
- c. Noting that this is a virtual meeting

## **7. Adjournment: 2:30 pm**

The Council may go into Executive Session pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities.

### **For information, contact:**

HISC Support staff: 1151 Punchbowl St, #325, Honolulu, HI 96813; Fax: 587-0160  
Josh Atwood, Program Supervisor: 587-4154, Joshua.P.Atwood [at] hawaii.gov  
Randy Bartlett, Interagency Coordinator: 870-6443, Randal.T.Bartlett [at] hawaii.gov  
Leyla Kaufman, Mamalu Poepoe Project Coordinator: leyla [at] hawaii.edu  
Chelsea Arnott, Planner: Chelsea.L.Arnott [at] hawaii.gov  
Elizabeth Speith, 643pest.org Report Facilitator: speith [at] hawaii.edu

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DAVID RODRIGUEZ  
DEPARTMENT OF TRANSPORTATION

January 27, 2021

### SUBMITTAL

TO: Co-chairs and Members  
Hawaii Invasive Species Council  
State of Hawaii

FROM: Josh Atwood, Acting Program Supervisor, and  
Chelsea Arnott, Planner  
Hawaii Invasive Species Council Support Program

SUBJECT: Requesting Hawaii Invasive Species Council (HISC) approval for potential activities as part of a 2021 Hawaii Invasive Species Awareness Month (HISAM) and delegating to the HISC Support Program staff the annual coordination of activities and the selection of awardees for HISAM to be recognized in the Council's name

### Background

Since 2013, the Hawaii Invasive Species Council (HISC) Support Program has coordinated a Hawaii Invasive Species Awareness Week (HISAW) or, in more recent years, a Hawaii Invasive Species Awareness Month (HISAM). This event is usually coordinated in February or March to coincide with similar awareness events happening at a national level and in other states, countries or regions.

Though events vary by year, HISAM (and its predecessor, HISAW) generally includes the promotion of volunteer events hosted by external partner organizations (or in some cases the HISC Support Program), a proclamation from the Governor, and the provision of "HISC awards." The awards are recognitions for individuals, programs, or businesses that have contributed to work that mitigates the impacts of invasive species in categories including but not limited to "Community Hero," "Business Leader," "Greatest Hit," and "Island Most Valuable Player (MVP)." The Island MVP category has been traditionally nominated or selected by the University of Hawaii Invasive Species Committees, while the other categories are generally selected by HISC Support Program staff based on nominations solicited through the HISC email list or social media, or through partner email lists or social media. HISC Support Program and staff at State agencies are not excluded from nominating individuals, programs or businesses for recognition. The resulting award winners have been provided a small plaque, which is generally given at a ceremony at the State Capitol following the Governor proclamation. Legislative partners have traditionally presented the awards, and sometimes provide additional recognition from legislative bodies.

### Discussion

The HISC Support Program coordinates much of the activities associated with HISAM, with input and contributions from other invasive species entities. Because the activities, and in particular the HISC awards, are presented as being from the Council, the Support Program is interested in obtaining Council review and approval on a list of potential activities and awardees. In the past it has been assumed that this work is delegated to the HISC Support Program, but no formal delegation has been made.

While the list of potential activities presented in Attachment 1 are specific to HISAM in 2021, the Support Program requests the Council's consideration of formally delegating these tasks to staff for future years as well.

For the purposes of this submittal, the HISC Support Program staff includes both the civil service position at the Department of Land and Natural Resources, Division of Forestry and Wildlife, and the non-civil-service University of Hawai'i, Pacific Cooperative Studies Unit positions employed by the Research Corporation of the University of Hawai'i that provide technical support to the HISC.

### Legal Authority

- HRS 194-2 (a): Establishes the HISC for the purpose of cabinet-level coordination and planning among state departments, federal agencies, and international and local initiatives
- HRS 194-2 (a)(4): Directs the HISC to create and implement a plan for prevention, early detection, rapid response, control, enforcement, and education

### Recommendations

1. That the HISC approve the non-exclusive list of potential activities in Attachment 1 for the 2021 HISAM, and
2. That the HISC formally delegate the annual coordination of activities and the selection of awardees for HISAM to be recognized in the Council's name



## Attachment 1: Potential Activities for Hawai'i Invasive Species Awareness Month 2021

- **Opening and closing ceremony** with Hālau 'Ōhi'a
- **Weekly webinars** featuring presentations from each island's Invasive Species Committee on target pests, cat impacts on native species, Rapid 'Ōhi'a Death progress and projects, native urchin control for invasive algae, and more...
- **Social media posts, activities and events**; Invasive Species Tournament with Big Island Invasive species Committee (BIISC), volunteer training for Devil Weed control with O'ahu Invasive Species Committee (OISC)
- **A potential media release (or other media engagement)** by the Communications Office at the Department of Land and Natural Resources (the agency that administers the HISC program)
- Ongoing **school engagement** with Little Fire Ant activities from OISC and invasive aquatics education from Division of Aquatic Resources (DAR)
- Videos for the **HISAM Award winners**. Winners will be announced near the end of the month with a brief video acknowledging their work.

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January 27, 2021

### SUBMITTAL

TO: Co-chairs and Members  
Hawaii Invasive Species Council  
State of Hawaii

FROM: Josh Atwood, Acting Program Supervisor, and  
Chelsea Arnott, Planner  
Hawaii Invasive Species Council Support Program

SUBJECT: Requesting Council approval to delegate to Hawaii Invasive Species Council (HISC) Support Program staff the authority to track legislative measures, provide in the Council's name written and/or oral testimony, and provide comments in legislative hearings, and requesting that the Council delegates to the HISC Program Support Staff the authority to draft and provide in the Council's name written and/or oral comments on documents relevant to invasive species and released by other entities for input

### Background

The Hawaii Invasive Species Council (HISC) was created in 2003 to provide policy level direction, coordination, and planning among state departments, federal agencies, and international and local initiatives for the control and eradication of harmful invasive species infestations throughout the State and for preventing the introduction of other invasive species that may be potentially harmful. The State has a collective voice on invasive species-related issues through the HISC's ability to submit public comments and testimony and to develop resolutions for invasive species-related issues in a timely manner.

### Discussion

One way HISC can provide policy level direction is through the submission of comments and testimony on invasive species-related issues. Often these issues come up with a small window to respond and immediate action is necessary. A recent review of the Office of Information Practices (OIP) document "Sunshine Law Options to Address State Legislative Issues and Measures" offers multiple solutions to allow boards to submit comments or testimony without being subject to Sunshine Law requirements that may prevent timely submission.

The first option suggested in the OIP document outlines Delegation to Staff. If the council approves this option it would officially delegate HISC Program Support Staff the authority to track legislative measures, provide testimony, and provide public comments in accordance with

the positions and policy directives previously adopted by the board (see the summary provided by OIP below):

**First Option: Delegation to Staff** At the outset of the legislative session, a board may file a notice of a public meeting with an agenda indicating that the board will consider the adoption of a position or the general policy direction it will take on specific legislative topics, subject matters and legislative measures, including the relevant bill numbers, if available, which the board desires to present in testimony during a legislative session. (A board may contact OIP's Attorney of the Day to discuss whether the notice of an agenda item is legally sufficient.) The board could then delegate to staff (e.g., executive director) the authority to track legislative measures and provide testimony in accordance with the positions and policy directives previously adopted by the board. The members of a board's staff (assuming they are not board members) can freely discuss legislative measures the board is tracking among themselves without implicating the Sunshine Law. Likewise, discussions involving staff and a single board member would not raise Sunshine Law concerns, unless the discussions comprise a serial communication between staff and individual board members to solicit a commitment to vote on a specific matter. The board's staff would report to the board on all legislative measures at the board's regularly scheduled meetings conducted during the legislative session and could seek confirmation or clarification of testimony that it planned to or had presented to the legislature. Alternatively, if the board has delegated legislative authority to two board members as discussed in the second option below, or to a permitted interaction group as in the third option below, then the staff could report to those groups at any time without having to notice a Sunshine Law meeting.

The 2017-2027 Hawai'i Interagency Biosecurity Plan and the HISC/CGAPS 2025 Joint Strategy, which were previously approved by the Council, could be used as guiding documents to provide the positions and policy directives adopted by the Council. Both planning documents provide clear priorities for addressing invasive species over the course of the next 5 - 10 years and HISC Program Support Staff are charged with the tracking and implementation of these plans. Likewise, resolutions adopted by the Council could also be used as guiding documents to provide positions for future testimony or comments.

For the purposes of this submittal, the HISC Support Program staff includes both the civil service position at the Department of Land and Natural Resources, Division of Forestry and Wildlife, and the non-civil-service University of Hawai'i, Pacific Cooperative Studies Unit positions employed by the Research Corporation of the University of Hawai'i that provide technical support to the HISC.

#### Legal Authority

- HRS 194-2 (a): Establishes the HISC for the purpose of cabinet-level coordination and planning among state departments, federal agencies, and international and local initiatives
- HRS 194-2 (a)(10): Directs the HISC to advise the governor and legislature on budgetary and other issues regarding invasive species
- HRS 194-2 (a)(15): Directs the HISC to suggest appropriate legislation to improve the State's administration of invasive species programs and policies

#### Recommendations

1. The Council delegates to the HISC Program Support Staff the authority to track legislative measures, provide in the Council's name written and/or oral testimony, and

provide comments in legislative hearings in accordance with the positions and policy directives previously adopted by the Council as outlined in the 2017-2027 Hawai'i Interagency Biosecurity Plan, the HISC/CGAPS 2025 Joint Strategy, and resolutions adopted by the Council.

2. The Council delegates to the HISC Program Support Staff the authority to draft and provide in the Council's name written and/or oral comments on documents relevant to invasive species and released by other entities for input, including county, state, federal, regional, or international organizations, provided that the positions described in written and/or oral comments are in with the positions and policy directives previously adopted by the Council as outlined in the 2017-2027 Hawai'i Interagency Biosecurity Plan, the HISC/CGAPS 2025 Joint Strategy, and resolutions adopted by the Council.